Preserve
By 27:11/47

App. F. IX-4

1937. (SA)

SA File No. 162-37

Serial Nos. 1-2

Previous References

SA Dep no 2187 25

Letter References.

SPG-4181-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. two

Part B for November 37

SUBJECT.

Bellagutti pollegar family pension

R 2 Do. to Comptroller
no ZK 2387 dated 28-10-37
Sanctions the payment of a pension

WD 0418—GPB—22,500—29-8-36

of Rs 60-8-0 p.m. to the claimant for the deceased Pollegar Vacant—

WL

Belagutti Pollegar family pension.

793 to 814

General and Revenue Secretariat

S/A File No. 162 of 1937. [App. F. III—2

Serial No.

Petitions dated the 6th and 10th September 1937 from B.P. Rangapparajiah and others of the Belagu Pollegar family praying for payment of the arrears of pension from the date of demise of Jaganavva of that family.

The petitioners had submitted a similar memorial on 4.3.36 making the same request. and they were informed that their request could not be granted. Kind reference is invited to S/A Dcp 218 of 1935 put up herewith, wherein, the facts of the case are briefly explained in the Financial Secretary's note dated 19.4.36. (vide para 9) The pension was accordingly refused to be granted with effect from the date of death of Jaganavva on general grounds". The question of granting arrears of pension has been fully discussed in the file S/A-305-35-(3-5) (vide Paras 78 to 81). wherein the pension of the late Jaganavva (Rs 63-8-10) which had been ordered to be lapsed to Govt. was on a reconsideration continued in the name of Rangapparajiah, the eldest member of the family with effect from 22nd November 1935, being the date of the order and not from the date the pension in question fell vacant on 13th Aug. 1930 Consequent on the death of Jaganavva The Continuance of a lapsed pension was held

Flag Y

S/A-556-35-2

Flag W

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

Belagutti Polegar Family Pension

793 ... 814

S/A File No. 162 of 193). | General and Revenue Secretariat

be a sufficient Concession. and the pension was therefore not granted with effect from the date it fell vacant.

The petitioners urge ~~for~~ a reconsideration of the orders and grant of the pension with effect from the date it fell vacant, in view of the fact that their lands and other property have all been sold by Court auction and that the big family of 40 souls ~~are~~ is rendered utterly destitute and homeless."

The request of the petitioners for payment of the arrears of the pension is for orders in view of the endorsement already issued to them on 25/4/36.

BRR 24/9 MR 27/9 The question regarding the date from which the pension should be given to Mr. Rangappanayaka — whether from the date of death of Jagannavva or from the date of the G.O. was specifically raised and discussed in S+A 305-34 where it was decided that it should be from the date of the order, and it has been mentioned in the ~~order~~ G.O. that the pension ~~would be~~ is from 22.11.35 (the date of the Dewan's order).

The point was again considered at the instance of the petr. in March and April 1936 and the petr. was

Belapatna Pol[illegible] Family

Submitted

10) The Fl. Sy desires to know whether the Secretary's intention is that the figure (for the Secretary's pension sanctioned with retrospective effect from the date on which it falls vacant 63 months ago) should be increased in accordance with previous decisions or whether in view of the circumstances set out in the present petition of the Belapatna Pol Family, the matter should be considered with a representation viewed favorably subject to the conditions stated in the Finance Dept rule

For favour of orders

Sd
16/10

11) Typed
J. Secy

12) Sd
18.10.37.

Bellagutti Pollegar Family Pension

General and Revenue Secretariat | C/A File No. 62 of 1937. | [App. F. III—2

Serial No.

informed that his request could not be granted.

The present petr. urged a reconsideration, and it had been received from the Dewan for disposal.

(6 Jt. Secy.) 30.9.37.

7) This is an application for cancelling the order declining to give the pension sd in this case from the date of sr in stead of from the date on which it fell Vacant 63 months Earlier. The reasons for this decision are Contained in my note dated 19.4.36 in the file put up. There is some force in the argument of the petr that when it has been held that Continuance of the pension is justified, it should Take Effect from the date it fell Vacant. But it is difficult to See how if this lump Sum payment of 4000 Rs is made, the amount will not be Spent away by the petr and not utilised for the benefit of the Entire family. If the petn is sd the S. H. Try officer will have to be asked to see that the amount is actually Spent for the benefit of the Entire family and not Spent by the petr as he likes. The present petition is for orders.

8) Dewan

9) Pagu m/s. re

7. Secy.

9-10-37

Another memo submitted the Dewan on 10.9.37 placed in the file. SRy

DEWAN'S OFFICE R.O.C. 1937 No. 2476

JLS 5+1 sch 2.10.37 (Circle def. upto 3)

NOTE—Contn. Sheet.

WD 0417--GPB—80,000-8-9-36

Belagutti pollegar family pension.

File No.	214 / 21.	of 193 .	General and Revenue Secretariat

Serial No.

1. Submitted with a draft G.O. sanctioning the payment of the pension from the date it fell vacant, and an endorsement informing the petitioners accordingly.

BRS 21/10

Re 22/x

2. For perusal before issue.

Fl. Secy.)

Sd/ 24-10-37.

M 25/10/37

Issue.

Sd/ 25-10-37.

2. [illegible] 25 OCT 1937 [illegible]

SC 2387 dated 28/10/37

To the Comptroller

Sanctions the payment of the pension of Rs 63-8-10. (granted to Rangapparajah Fathers [illegible] G.O No. Fl 4310/Jud. 305-36-4 dated 4/12/35) with effect from the date it fell vacant.

Fl 2388/ dated 28/10/37.

Dir. B.P. Rangapparajah Fathers,

Belagutti.

Informs the petitioner as above.

D
MR
10/11/37

Submitted

Mr. B. P. Ramaraj Urs,
Pattegar of Belagutti, prays
for an extension to present
a petition.

Ce
6/9

Rs. [illegible]

Rs

Under

the amount for petition
herewith may be sent
to H.C. Bgs. for disposal.

Ce
6/9

M. 299/1

Jm

H. Sy to put w/c

Ce
7/9

No.

8/9-37

SA 162-37-1

793

To

Amin-UL-Mulk

Sir Mirza M.Ismail,Kt, K.C.I.E., O.B.E.,

Dewan of Mysore,

Bangalore.

Reference :- Endorsement No. Fl. 7638/S.A. 550-35 dated 24/25th April 1936 informing that the petitioners request in the matter of the grant of pension of the deceased Jaganavva with effect from the date of her death Viz, 13-8-30 cannot be granted.

The humble petition of B.P.Rangapparajiah and other members of Belagutti Pollegar - family.

Most Respectfully showeth :-

Government in their order No.Fl. 4810/SA-3 05-34-4 dated 4-12-35 were pleased to sanction the pension of Rs 63-8-10 enjoyed by late Jagannavva in the name of Rangappa Rajaiya as a special case with effect from 22-11-35 and while so ordering they were pleased to make the following observations:-

"It will thus be seen that the transfer of pension to Mariappa Rajiah referred to above took place in 1820 and has been acted upon for over a century and the validity or otherwise of the transfer cannot be questioned at this distance of time. There is also no support for the view that the grant of Jagannavva was not for the benefit of the family on the contrary although the pension was registered in the name of one person, all the

members of the family appear to have enjoyed its benefits. It is also reported that though there are no direct heirs to the deceased Jagannavva there are cousins said to be living together amicably in similar circumstances in the Belagutti family the pension has been continued to the cousins of the first male member".

2 In the above circumstances, Government are pleased to direct as a special case suppression of the orders dated 26-2-1932 passed in the case that the vacant stipend of Rs 63-8-10 be registered and continued in the name of - Rangappa rajiah the eldest surviving member of the family with effect from 22nd November, 1935.

3 A kind persual of the above will show that the above order was passed after a very careful enquiry into all the facts and circumstances of the case. Further it is clear that the Government have been fully convinced of the hardship caused to the family by the lapsing of the pension and that it was not a correct finding and that it was but just and reasonable that the family pension vacant should descend to the present members of the family for their enjoyment and be registered in the name of Rangapparajiya as per wishes of the remaining members and as per mamool existed in the family. The petitioners most humbly and respectfully submit that when the Government have been pleased to concede so far it cannot be made out why they should deprive the claim of the family for the receipt of the pension from the date it fell vacant and why the amount due from August 1930 to 22-11-1935 Viz, 63 months and odd that should reasonably and legitimately go to the benefit of the family should lapse to Government and what significance should be

be given to the term" as a special case" contained in the above order.

4) The petitioners beg to submit that as represented already their big family was heavily indebted and their - condition was most miserable. The lapse of pension for 63 months has considerably increased the heaviness of the burden and the misery and hardship inflicted on them can well be imagined than explained. In fact every ~~xxxx~~ inch of ground and every article of value belonging to the family have been sold by Court auction leaving the family of over 40 souls utterly destitute and homeless . With this small pension the family has to sustain itself.

5 The petitioners fail to understand as why the Government should be hard on them in this matter when they so magnanimously sanctioned the pension to the family for generations.

6 It might be that the amount accrued during the period of 5 years and 3 months is showing a large figure. The petitioners feel that in the eyes of Government this amount is too small and worth nothing.

7 The petitioners still hope with ferver that the Government will come to their rescue and will not forsake them. It may not be out of place to - submit to the Government that this family as - acknowledged by them in their proceedings No. P. 6365 -67 Pol. 105-32 dated 17th May 1935, is an ancient Historic family, their ancestors being the noted malnad chiefs from the 12th Century

to the time of Hyder. Government have always been very sympathetic in dealing which such families which the petitioners hope will be extended to them in this instance.

It may also be brought to the notice of the Government that continuity of family pension without causing breaks is the policy of the Government and carried out in all previous cases from time immemorial. The petitioners therefore humbly pray that Government will be merciful and sanction the payment of arrears lapsed to Government even as a special case.

The petitioners are in utter distress and will be anxiously awaiting for any favourable order which the Government will be pleased to pass on their above representation.

ಬಿ.ಪಿ.ಕಡಪ್ಪ ರಾಜ ಅರಸು

B.P. Kadappa. Raja. urs.

B.P. Ammuta Raj a urs.

ಬಿ.ಪಿ.ರಾಮರಾಜ ಅರಸು

B.P. Ramaraj. urs.

Petitioners.

Bangalore City,
6th Septr.1937.

Proceddings of the Government of His Highness
The Maharaja of Mysore.

Read:-

Petition dated 6th October,1932 from Mr.Mariappaji Urs ,Belagutti Village,Honnali Taluk, Shimoga District, appealing against the order of the District Magistrate, Shimoga District,declining to permit the petitioner to parade certain insignia in procession during the Dasara and on marriage occasions.

2. Correspondence ending with letter No.J.1. C. 150/31-32 dated 12th December,1933 from the District Magistrate, Shimoga District forwarding the connected records of the case together with the additional evidence adduced by the petitioner.

Order No. P. 6365 -67 Pol 105- 32 ,
dated Bangalore, 17th May 1935.

The appeal was heard on the 26th January 1934 Mr.H.C Dasappa,Advocate appearing for the appellant.

Government find the prayer of the petitioners before the District Magistrate was that their claim to parade certain insignia in procession during the dasara and on marriage occasions might be recognised and licenses issued accordingly . Some of these insignia are classed as "Royal honours" and others as "special honours" according to Government order No.1145 Pol.202 -14-2 dated the 19th November,1919. The petitioners however did not press their claim in respect of the royal honours and as regards the special honours also the District Magistrate considered that the evidence adduced did not establish

the claim.

When the appeal was heard before Government a request was made for permission to adduce additional evidence. This request was granted. The additional evidence is chiefly as to the status of the family. Dr. Shama Sastri's evidence, based on historic documents, it is to the effect that the Balagutti Ursus represented by the present petitioners were noted malnad Chiefs from the 12th Century up to the time of Hyder. Government are inclined to accept this biew, but does not directly help the case of the petitioners. There is no "documentary evidence in proof of Specific grant by Sovereign authorities". The question therefore is whether ther is evidence of "long and uninterrupted usage of fifty years or more ". The District Magistrate's view is that the oral evidence on this point is "not convincing ". Oral evidence in respect of such matters is generally not dependable, but in this case we have the testimony of some very old residents of the place.

On a perusal of all the evidence recorded in 1916 in 1922 , in 1929 and in 1933, Government think that it may be held to be fairly established that the family has been enjoying the two special honours "Yellow Nishani " and Chamara " and parading them on the occasions of Maharnavami and Dasara processions. Certain other special honours are also claimed but for reasons mentioned in the report of the Assistant Commissioner in para 5 of his report dated the 26th

26th March 1932. Government consider that the case is established only in respect of the two special honours abovenamed.

The District Magistrate is authorised to issue licenses to the party on the basis of the above orders.

For Chief Secretary to
Government.

To

The District Magistrate, Shimoga District with with the connected records.

The Advocate for the appellant.

Mr. Mariappaji Urs, Belagutti Village, Honnali Tq Shimoga District.

FINANCIAL SECRETARY
10 SEP
No.

OFFICE OF THE DEWAN
OF MYSORE.
INTERVIEW PETITION.
Date of receipt 10.9.37
Petn: Regr. No. 24

FINANCIAL BRANCH
11 SEP. 1937
814
GENL.

THE BELAGUTTI POLLEGAR FAMILY.

Memorandum humbly submitted:-

1. Last Pension Holder:-	Jagannavva.
2. Amount of pension:-	Rs 63-8-10 per month.
3. Died on..	13th August 1930.
4. Government ordered 1st that the pension should lapse. ..	26th February 1932.
5. Government reconsidered their order and sanctioned the pension to Rangappa Rajayya with effect from 22nd November 1935	Order No.4810/SA-3 dated 4th December 1935.
6. Interval between the death of Jagannavva and the sanction of pension to Rangappa Rajayya.	63 months and odd.
7. Government ordered that the amount should lapse to Government.	Order No.7638/SA.550-35 dated 24th April 1936.

8. The memorial is for the re-consideration of the above order for reasons set forth in it and for the sanction of the amount due to the family from August 1930 to 21st November 1935.

****

Reasons:-

1. The present members of the family are held by Government to be undivided cousins of the husband of Jagannavva.

2. The pension was for the benefit of the whole family - though the baraward was in the name of the eldest - member as per mamool.

3. Pensions in similar cases have been paid in full from the time it fell vacant.

4. The family is a very large one having over 40 souls -

souls depending on this amount.

5. Family is heavily indebted and have lost all their properties in Court auction.

6. Family is an ancient Historic Family.

7. Family is in great distress.

8. The order is against accepted policy of - Government.

9. The order is acting as a great hardship on the poor family.

10. Family prays for mercy and reconsideration.

****

Bangalore City,
10th September 1937.

B.P. Ramaraj MLA.

To

Amin-ul-Mulk

Sir Mirza M. Ismail, Kt., K.C.I.E., O.B.E.,

Dewan of Mysore, B a n g a l o r e.

Reference:-

Endorsement No. Fl.7638/S.A.550-35 24/25th April 1936 informing that - the petitioners request in the matter of the grant of pension of the deceased Jaganavva with effect from the - date of her death viz., 13th August 1930 cannot be granted.

****

The humble petition of B. P. Rangappa-rajayya and other members of Belagutti Pollegar family:-

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Most Respectfully showeth:-

Government in their order No. Fl.4810/SA-3-05-34-4 dated 4th December 1935 were pleased to sanction the pension of Rs 63-8-10 enjoyed by late Jagannavva in the name of Rangappa Rajayya as a special case with effect from 22nd November 1935 and while so ordering they were pleased to make the following observations:-

" It will thus be seen that the transfer of pension to Mariappa Rajayya referred to above took place in 1820 and has been acted upon for over a century and the validity or otherwise of the transfer cannot be questioned at this distance of time. There is also no support for

the

the view that the grant of Jagannavva was not for the benefit of the family on the contrary although the pension was registered in the name of one person, all the members of the family appear to have enjoyed its benefits. It is also reported that though there are no direct heirs to the deceased Jagannavva there are cousins said to be living together amicably in similar circumstances in the Belagutti family the pension has been continued to the cousins of the first male member ".

In the above circumstances, Government are pleased to direct as a special case suppression of the orders dated 26th February 1932 passed in the case that the vacant stipend of Rs 63-8-10 be registered and continued in the name of Rangappa Rajayya the eldest surviving member of the family with effect from 22nd November 1935.

A kind perusal of the above will show that the above order was passed after a very careful enquiry into all the facts and circumstances of the case. Further it is clear that the Government have been fully convinced of the hardship caused to the family by the lapsing of the pension and that it was not a correct finding and that it was but just and reasonable that the family pension vacant should descend to the present members of the family for their enjoyment and be registered in the name of Rangappa Rajayya as per wishes of the remaining members and as per mamool existed in the family. The petitioners most humbly and respectfully submit that when the Government have been pleased to concede so far it cannot be made out why they should deprive the claim of the family for the receipt of the pen-

pension from the date it fell vacant and why the amount due from August 1930 to 22nd November 1935 viz., 63 months and odd that should reasonably and legitimately go to the benefit of the family should lapse to Government and what significance should be given to the term as a "special case" contained in the above order.

The petitioners beg to submit that as represented their big family was heavily indebted and the condition was most miserable. The lapse of pension for 63 months has considerably increased the heaviness of the burden and the misery and hardship inflicted on them can well be imagined than - explained. In fact every inch of ground and every article of value belonging to the family has been - sold by Court auction leaving the family of over 40 souls utterly destitute and helpless. With this small pension the family has to sustain itself.

The petitioners fail to understand as why the Government should be hard on them in this matter when they so magnanimously sanctioned the pension to the family for generations.

It might be that the amount accrued during the period of 5 years and 3 months is showing a - large figure. The petitioners feel that in the eyes of Government this amount is too small and worth - nothing.

The petitioners still hope with ferver that the Government will come to their rescue and will not forsake them. It may not be out of place to submit to the Government that this family as acknowledged by them in their proceedings No. P.6365-67.

Pol

Pol.105-32 dated 17th May 1935, is an ancient Historic family, their ancestors being the noted malnad chiefs from the 12th Century to the time of Hyder. Government have always been very sympathetic in dealing with such families which the petitioners hope will be extended to them in this instance. It may also be brought to the notice of the Government that continuity of family pension without causing breaks is the policy of the Government and carried out in all previous cases from time immemorial. The petitioners therefore humbly pray that Government will be merciful and sanction the payment of arrears - lapsed to Government even as a special case.

The petitioners are in utter distress and will be anxiously awaiting for any favourable order which the Government will be pleased to pass on their above representation.

Bangalore City,
10th Sept. 1937.

Sd/ B. P. Rangappa Rajayya,
" B. P. Kadappa Raja Urs,
" B. P. Achuta Raja Urs,
" Sri Ranga Rayaru,
" B. P. Rama Raja Urs.

Petitioners.

****

" True Copy "

File copy.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read:-

Government Order No.Fl.4310/S.&.A.305-34-4 dated the 2nd/4th December 1933, directing as a special case, that the pension of Rs.63-8-10 enjoyed by the late Jaganavva of the Belagutti Pollegar Family, be registered and continued in the name of Rangapparajiah, the eldest surviving member of the family with effect from the 22nd November 1935.

2. Petitions dated the 6th and 10th September 1937, from B.P. Rangapparajaiah and others of the Belagutti Pollegar Family praying that the above pension may be sanctioned with effect from the date it fell vacant in the year 1930 instead of from 22-11-1935 as ordered above.

ORDER NO. Fl: 2387/S&A-162-37-2

Dated, Bangalore, the 28th October 1937.

On a reconsideration of the question, Government are pleased to sanction the payment of the pension with effect from the date it fell vacant instead of from 22-11-1935 as directed in the Government Order read above with the observation that the arrear amount of about Rs.4,000/- so payable should not be spent away by the registered holder as he likes, but it should be utilised for the benefit of the entire family. The comptroller is requested to instruct the State Huzur Treasury Officer to see that this condition is complied with.

For Financial Secretary to Government.

The Comptroller to Government.

K.".R.3.

Appendix F G—1]

SUBJECT .....

.....

.....

2 drafts

Section

File No.

Serial No.

No. Jc 2388

Diary No. of letter replied to.....

To

Mer B. P. Ranganparajiah and others
of the Belagutti pollegar family
Belagutti, Hosmali Tq

General and Revenue Secretariat

( )

the *193* .

Date of issue 28/10/37

Signed by Mr S K T

With reference to their petitions dated the 6th and 10th Septr 1937 praying that the Belagutti pollegar family pension of Rs 63-8-10 may be paid with effect from ~~viz 13-8-1930~~ the date it fell vacant, the petitioners are informed that orders sanctioning their request have been issued in G.O. No. Jc. 2387/S ~~XX~~ 162-37-2 dated 28-10-37

By Order
SKR 24.10.37.
For Financial Secretary to G

List of enclosures.....

Copied by .....

Examined by.....

BKR 21/10.

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

2 drafts

Diary No. of letter replied to.....

Section. S+A

File No. 162-37

Serial No. 2

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 28/10/37 Flag G 1937.

Signed by Dr S.K.J.

Read— G.O No. Fl. 4310/S+A 305-34—4 dated the 2nd/4th December 1935, directing as a special case, that the pension of Rs 63-8—to enjoyed by the late Jaganavva of the Belaguttli pollega family, be registered and continued in the name of Rangapparajiah, the eldest surviving member of the family. Order thereon.—No. with effect from the 22nd November 1935.

2. Petitions dated the 6th and 10th Septr 1937 from B.P. Rangappa rajiah and others of the Belaguttli Pollegar family praying that the abv pension may be sanctioned with effe from the date it fell vacant in the

P.T.O

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

year 1930 instead of from 22.11.35 as ordered above.

Order No. H.2387 dt 28-10-37

On a reconsideration of the question Govt are pleased to sanction the payment ~~disbursement~~ of the pension with effect from the date it fell vacant instead of from 22.11.35 as directed in the G.O. read above, ~~A transaction involves~~ with the observation that the amount ~~of lump sum payment~~ of about Rs. 4000/- so payable ~~Govt desire, pursuant to the object~~ ~~of these pensions, that the amount~~ should not be ~~not~~ spent away by the registered holder as he likes, but (it should be) utilised for the benefit of the entire family. The Comptroller is requested to instruct the State Huzur Treasury officer to see that this ~~effect~~ condition is complied with

BR 24.10.37. for Financial Secretary.

To The Comptroller to Govt.

List of Enclosure

Copied by

Examined by

BRR 22/10.

22/10.

WD 0523—GPB—22,500—22-3-37